



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

FILE
COPY

October 27, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John C. Beatty, III
Diamond Chrome Plating, Inc.
604 South Michigan Avenue
P.O. Box 557
Howell, Michigan 48844

Dear Mr. Beatty:

SUBJECT: Notice to Submit a Catch Basin Monitoring Contingency Plan for Review and Approval
Pursuant to Section 6.6(d) of Judicial Consent Decree No 03-1862-CE
Diamond Chrome Plating, 604 South Michigan Avenue, Howell, Livingston County
Site ID: 47000202

The Department of Environmental Quality (DEQ), Remediation and Redevelopment Division (RRD), has completed the review of your October 15, 2008, progress report submitted by your consultant, Conestoga-Rovers & Associates. The progress report includes data from catch basin monitoring conducted in accordance to your approved catch basin monitoring plan (CBMP).

Our review considers data contained in all of the submitted progress reports as well as relevant data submitted to DEQ, Water Bureau, with regard to your National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058204 for discharge of contaminated storm water and groundwater seepage from Outfall 001.

The October 15, 2008, progress report indicates that groundwater contaminated with hexavalent chromium above 32 ug/l and cadmium above 5 ug/l action levels established in the CBMP are entering the storm sewer system on a regular basis. In July 2008, Diamond Chrome Plating (DCP) completed the installation of a larger storm water capture and treatment system so that DCP's storm water runoff is treated under most rain event conditions. The October 2008 progress report results should not include storm water runoff above water quality standards; therefore, contaminated groundwater is the cause of the exceedances.

Analytical data in the October 2008 progress report indicate that hexavalent chromium and cadmium exceeded action levels at all locations downstream from the Walnut Street Catch Basin. In addition, maximum concentrations of hexavalent chromium at 680 ug/l at the Dunkin' Donuts catch basin and cadmium at 360 ug/l at the north railroad catch basin appear to represent an upward trend from previous progress report data. Total chromium and copper also exceed CBMP action levels of 212 ug/l and 23 ug/l. Catch basin monitoring data also indicates that chlorinated solvents present in the groundwater near the DCP building are entering the storm water system.

October 27, 2008

Therefore, the DEQ is providing notice under Section 6.6 (d) of the Judicial Consent Decree (JCD) for DCP to develop, for DEQ review and approval, a contingency plan that evaluates where contaminants are entering the storm sewer system and to provide a schedule for proposed interim responses that mitigate contaminant releases into the storm sewer system. The catch basin monitoring contingency plan (CBMCP) is due within **30 days** of receipt of this letter.

This letter is also providing notice that DCP has failed to submit a catch basin monitoring annual report of findings by the **September 1, 2008**, date posted in Section 5.0 of the approved CBMP.

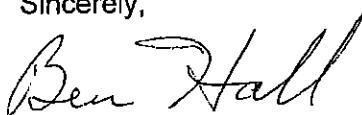
The catch basin monitoring annual report will contain information relevant to our review of your CBMCP. The DEQ is requesting that you include this report with your CBMCP to avoid stipulated penalties due to DCP's lapse in a scheduled submittal.

The CBMCP must include a means to determine where the groundwater infiltration is occurring. The collection of existing groundwater elevation data from existing monitoring wells, installation of additional monitoring wells, and direct inspection of the storm sewer system are methods that must be considered. In addition, the CBMCP must contain a schedule for implementation of additional interim response activities to cease the infiltration of contaminated groundwater into the storm sewer system above the established action levels.

Please be advised that failure to submit both the Catch Basin Monitoring Contingency Plan and the Catch Basin Monitoring Annual Report of Findings within **30 days** of receipt of this letter will result in the accrual of stipulated penalties as outlined in Section 15 of the JCD.

If you have any questions, please contact Ms. Rebecca Taylor, Project Coordinator, DEQ, RRD, 525 West Allegan Street, 4th Floor North, Lansing, Michigan 48933, at 517-335-6247; or you may contact me.

Sincerely,



Ben Hall, District Supervisor
Lansing District Office
Remediation and Redevelopment Division
517-335-6228

bh/rt/cah

cc: Ms. Beth S. Gotthelf, Butzel Long
Ms. Gretchen McKernan, Conestoga-Rovers & Associates
Ms. Carla Davidson, DEQ
Mr. Brad Ermisch, DEQ
Ms Kathleen Shirey, DEQ
Mr. Leslie E. Smith, III, DEQ
Ms. Rebecca Taylor, DEQ